Administrator Meeting with Los Angeles County Supervisor Hilda Solis

Issue: Exide Facility (Vernon, CA)

Message/Talking Points:

- EPA Region 9 has been participating in monthly meetings of the Exide Technical Advisory Group, co-chaired by DTSC, the State's South Coast Air Quality Management District, and a community leader, to hear directly from community members and other stakeholders about issues of concern.
- During the past several years EPA has also provided technical support to DTSC to help resolve RCRA obligations at the facility.

Background/Status:

The Exide Facility located in Vernon, in southern California, is a former lead-battery recycling operation that is now the focus of an extensive cleanup action led by the California Department of Toxic Substances Control (DTSC). Estimates from DTSC's analysis conclude that the extent of potential lead contamination from Exide emissions extends 1.3 – 1.7 miles from the facility, an area with between 5,000 and 10,000 residential properties.

Since the late 1970s the Exide Facility has been used primary for lead-battery recycling. In recent years, the Exide Facility's average production was 100,000 to 120,000 tons of lead per year—roughly equivalent to recycling approximately 11 million automotive batteries, or the number of spent batteries generated in California annually.

DTSC has issued multiple orders requiring assessment, correction and remediation of both onsite and offsite environmental contamination. A total of approximately 50 DTSC personnel are currently engaged in the assessment and cleanup of lead in residential soil in neighborhoods impacted by Exide's operations.

In March 2015, the United States Attorney's Office announced that it had reached a Non Prosecution Agreement (NPA) with Exide Technologies calling for the company to immediately and forever close the battery recycling facility and to pay $50 million to clean-up the site and surrounding neighborhoods in Vernon. The NPA with Exide is the result of an investigation by the EPA Criminal Investigations Division and the US Department of Transportation – Office of the Inspector General.

Community concerns have been raised about the pace of the cleanup, and how DTSC will find the funding necessary given the potential extent of the contamination.

EPA experience at similar sites around the country has shown that it usually takes years to address lead in residential soils. DTSC is taking steps to ensure that the worst areas are addressed first and they are using a cleanup level significantly lower than EPA's usual practice. Specifically, DTSC has committed to clean the soil in contaminated properties to 80 mg/kg of lead—a level deemed by the California Office of Health Hazard Assessment to be protective. EPA's level is 400 mg/kg.

We have facilitated a peer exchange with EPA Region 7's Remedial Project Manager for the Asarco Lead Smelter Site in Omaha. A Superfund toxicologist with extensive experience with lead-contamination in soil has reviewed the site sampling plan. Our Toxics Program Chief has agreed to participate on a working group convened by DTSC. EPA will continue to provide technical support and oversight to support their ability to meet their commitments at this site and in this community.

Prior to the closure of the facility, EPA issued a Notice of Violation to Exide for excessive lead emissions on May 22, 2014, and on conducted a thorough RCRA hazardous waste inspection in August 2014.

Contact: Tom Huetteman, Associate Director, Land Division, Region IX, Phone: 415.972.3751

Administrator Meeting with Los Angeles County Supervisor Hilda Solis

Issue: Porter Ranch - Southern California Gas Company Methane Gas Release
Aliso Canyon Natural Gas Storage Facility

Message/Talking Points:

- The White House National Economic Council and Domestic Policy Council are leading a federal interagency task force to examine lessons learned from Aliso Canyon to apply to other natural gas storage facilities across the country (400 facilities).
- The task force has a 6 month time horizon and will also look at physical integrity of the facilities, health and environmental impacts and the reliability of gas supplies. DOE and DOT are the lead agencies; EPA is a participating agency, along with HHS/CDC.

Background/Status:
On 23 October 2015, an uncontrolled natural gas release was discovered at the Southern California Gas Company (SoCal Gas) Natural Gas Storage Facility at Aliso Canyon, an old oil field in the northern San Fernando Valley, Los Angeles County. SoCal Gas injects natural gas into abandoned oil reservoirs for storage and then withdraws the gas for transmission and sale. SoCal Gas is a subsidiary of Sempra Energy Utilities. The Aliso Canyon storage facility contains 115 gas withdrawal/injection wells and the well that is leaking, Standard Sesnon 25, is over 8000 feet deep. Aliso Canyon has a total storage capacity of 86 bcf (billion cubic feet), one of the largest natural gas storage facilities in the United States.

Porter Ranch, an affluent residential community of approximately 30,000 people, is located near the Aliso Canyon storage facility. The nearest Porter Ranch residents that are being affected live approximately 1 mile away and 1200 feet below the leaking wellhead. On 18 February 2016, the California Division of Oil, Gas and Geothermal Resources, Department of Conservation determined that the leaking well had been permanently sealed. The local air pollution control agency, the South Coast Air Quality Management District, estimates that 94,500 tons of methane were emitted during the release.

Environmental and Public Health Issues:
Exposure to the mercaptan odorant additive in the natural gas can produce symptoms such as nausea, headaches, vomiting, abdominal discomfort, respiratory irritation and dizziness and Porter Ranch residents have reported effects that are consistent with short term mecaptan exposure. The Los Angeles County Department of Public Health has determined that the emissions from this incident are causing health effects to some Porter Ranch residents and required SoCal Gas to provide temporary relocation.

LA County DPH is now sampling (wipe samples and 24 hour air samples) homes in Porter Ranch where there is a high density of residents that continue to report symptoms after returning to their homes. LA County DPH is looking for residual contamination that may account for the recurrence of symptoms in residents. A story in the Los Angeles Times suggests that there will be power outages this summer in southern California due to a lack of available natural gas.

Contact: Dan Meer, Assistant Director, Superfund Division, Region IX, Phone: 415.972.3132

Administrator Meeting with Los Angeles County Supervisor Hilda Solis

Issue: Los Angeles County Stormwater

Message/Talking Points:

- EPA worked closely with the State of California to devise innovative new approaches to municipal stormwater permitting that enable communities to develop long term stormwater management plans that integrate water quality improvement measures with actions to enhance water supply, improve flood control, and incorporate green infrastructure in ways that will enhance urban quality of life. Only by promoting integrated solutions to long term urban water infrastructure renewal will we be successful in achieving water quality objectives.
- We acknowledge that implementation of these long term stormwater plans will be very expensive. We are working with cities in LA Basin, the State of California, Rep. Grace Napolitano's office, and EPA's Water Infrastructure Resilience and Finance Center to identify and publicize innovative financing strategies to support plan implementation and leverage limited locally-available funding sources.

Background/Status:

The Los Angeles Regional Municipal Stormwater Permit, issued in 2012, established stormwater management requirements for 84 jurisdictions including many cities in Rep. Solis' district. The permit implements the water quality requirements of more than 30 Total Maximum Daily Loads (TMDLs), which require further controls to reduce discharges of many pollutants that are major causes of water quality impairment of Los Angeles area rivers, lakes, and beaches. The new permit provides a range of innovative compliance pathways because the state and EPA recognize that conventional permitting approaches are very difficult to implement at this scale and that cities should not be subjected to near term enforcement action if they are diligently implementing long term plans to renew urban water infrastructure to address these daunting pollutant challenges. In particular, the permit enables cities to work together at watershed scales to develop long-term watershed scale implementation plans, supported by very robust analysis, that demonstrate "reasonable assurance" that TMDL-related water quality protection requirements will be met within specified periods of time. Most cities covered by the permit chose to follow these new compliance paths and have done exceptional work since 2012 to develop and begin implementing long term stormwater control programs, many of which also incorporate stormwater capture and recharge, enhanced flood control, Green Streets and other green infrastructure elements that are improving not only water quality but the overall appearance and quality of life in these communities.

Estimates of long term implementation costs run as high as $20 billion because retrofit of urban landscapes with new stormwater management projects is expensive. EPA is working with the Cities, the State, elected officials, and our own Water Finance Center to assist affected cities in doing the challenging financial planning necessary to implement these plans, drawing upon a range of local, state, and federal funding sources and exploring opportunities for innovative public-private partnerships and other innovative finance approaches. Unfortunately, California Constitutional provisions (Prop 218) make it very difficult for stormwater programs to organize as utilities and obtain fee funding sources. Action is underway in 2016 to seek amendment of

the CA Constitution to revise these provisions, so we are hopeful that local stormwater programs may soon have the same types of funding tools available that drinking water and wastewater utilities currently enjoy. However, even with increased local fee funding, it may be infeasible for permittee communities to raise the funding needed to implement all the needed stormwater management infrastructure projects unless there are substantial increases in federal or state grant or loan funding made available for these purposes (beyond the currently available funds in State Revolving Funds and State-bond funds). We are in conversation now with the cities and the State of California to explore how the implementation timeframes specified in the permit might be relaxed in cases where Cities can demonstrate they are making best efforts to comply yet need more time. Region 9 is prepared to work with other members and their constituent cities as we are doing with Rep. Napolitano's office to explore approaches for creatively overcoming the financial, institutional, and technical challenges to successful long term implementation of permit requirements.

Contact: David Smith, NPDES Section Manager, Region IX, Phone: 415.972.3464

Administrator Meeting with Los Angeles County Supervisor Hilda Solis

Issue: I-710 North Gap Closure Final Environmental Impact Statement

Supervisor Solis Position:
Supervisor Solis has stated that residents of her East Los Angeles district want more information on the health burdens associated with a proposed freeway tunnel and light rail alternative being analyzed to fill in a "gap" (710 North Gap Closure) between the I-710 to the south and the I-10 and I-210 freeways to the north.

Message/Talking Points:
- EPA is currently working with Caltrans regarding air conformity analysis and a response to our comments on the DEIS.
- A Final EIS is expected in 2016.

Background/Status:
In March 2015, Caltrans as lead for NEPA per delegation from Federal Highway Administration, and Los Angeles County Metropolitan Transportation Authority (Metro) released a Draft EIS for 710 North Gap Closure.

EPA's letter dated August 27, 2015 rated the Freeway Tunnel Alternative as "3" – Inadequate Information due to missing information and inaccuracies in the air modeling. We rated the Light Rail Transit Alternative as EC-2, Environmental Concerns, Insufficient Information.

Contact: Connell Dunning, Environmental Review Section, Region IX, Phone: 415.947.4161

Administrator Meeting with Los Angeles County Supervisor Hilda Solis

Issue: I-710 Corridor (South) Supplemental Environmental Impact Statement

Supervisor Solis Position:
Supervisor Solis supports a zero emissions alterative in the 710 Corridor, and supports the "Community Preferred Alternative" that is being actively promoted by the Moving Forward Network and local community groups. She provided testimony at a project meeting in Fall 2015 encouraging the "Community Preferred Alternative" and highlighting the importance of zero-emission technology, complete streets, bike lanes, and other measures.

Message/Talking Points:
- EPA has provided multiple early coordination letters with feedback on methodology and analysis.
- We are currently working with Caltrans to provide feedback on the Revised Air Quality Analysis Protocol and continue to voice importance of zero-emission technology corridors for freight movement.

Background/Status:
In 2012, Caltrans, as lead for NEPA per delegation from Federal Highway Administration, prepared a Draft EIS for the 18-mile expansion of I-710, including a proposal for zero emission technology and expanding the road.

EPA provided a formal comment letter on September 28, 2012, rating the project alternatives that did not include a zero emissions corridor as Environmentally Unsatisfactory, Inadequate Information (EU-3) based on inadequate analysis and anticipated diesel-related health impacts.

Caltrans is currently preparing a Supplemental DEIS, anticipated to be completed in Winter 2017, that will analyze one zero-emission truck corridor alternative and one conventional diesel truck capacity–increasing alternative (that will provide incentives for zero emission technology). The zero emission alternative contains some, but not all, of the elements of a "Community Preferred Alternative".

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